

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES                    )  
  )  
vs.                                    )       No. 05-CR-30020 MAP  
  )  
EDDIE SANTIAGO                 )

**MOTION TO CONTINUE**

Now comes the defendant in the above entitled action and moves this Honorable Court for an order continuing the date presently set for Sentencing and asserts as his basis therefore the following;

Defendant Santiago has been convicted of a violation of Title 21 §841, and is subject to an enhanced mandatory minimum sentence.

The Government has filed an information pursuant to Title 21 U.S.C. §851 seeking to utilize several State Court convictions in order to accomplish this enhancement.

Counsel for the defendant has examined the State Court probation file and believes it contains information which would support a Motion to Withdraw the defendant's State Court plea in State Court.

Counsel for defendant must file a written motion for Judicial permission to obtain a copy of the confidential information in order to fully set forth his factual basis to support a Motion to Withdraw this plea.

If this plea is vacated, the defendant will not face any mandatory minimum sentence.

WHEREFORE, defendant requests a period of time not to exceed eight weeks in order to obtain the information necessary to assist counsel in moving to vacate the plea at issue.

Respectfully submitted,  
THE DEFENDANT

BY:/s/ Vincent A. Bongiorno  
95 State Street - Suite 309  
Springfield, MA 01103  
(413) 732-0222  
BBO #049040

CERTIFICATE OF SERVICE

I, Vincent A. Bongiorno, Esq., do hereby certify that I have served a copy of the foregoing via CM/ECF to the United States District Attorney, Federal Building & Courthouse, 1550 Main Street, Springfield, MA 01103 this 17<sup>th</sup> day of October 2006.

/s/ Vincent A. Bongiorno